

June 16, 2010

Via Electronic Submission

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Notice of Ex Parte Communication
GN Docket Nos. 09-47, 09-51, 09-137
PS Docket Nos. 06-229, 07-100, 07-114
WT Docket No. 06-150
CC Docket No. 94-102
WC Docket No. 05-196

Dear Ms. Dortch,

This letter is to notify you that on June 16th, I emailed the attached note to Jamie Barnett, Chief of the Public Safety and Homeland Security Bureau, describing my support of the FCC's proposal for a nationwide broadband public safety network.

Sincerely,

E. J. Thomas
Former Chief, OET



WILTSHIRE
& GRANNIS LLP

6/16/2010

James Arden Barnet, Jr., Chief
Public Safety and Homeland Security Bureau
Federal Communications Commission
7th Floor
445 12 Street, SW
Washington, DC 20554

Jamie:

This letter is written on my own behalf only. It reflects my personal views and not necessarily those of my firm or any of its clients.

I have reviewed the FCC white paper, *The Public Safety Nationwide Interoperable Broadband Network: A New Model for Capacity, Performance and Cost*. The Commission's paper is the first effort of which I am aware that analyzes public safety's broadband communications needs in concert with a policy for sound spectrum management. The analysis demonstrates under various scenarios developed both by the Commission and by public safety, that the communication needs for even large cities can be met with the spectrum currently allocated to public safety while leaving room for further expansion if needed. In addition, the Commission's proposal for public safety priority access to commercial broadband networks ensures that in exigent circumstances such as the failure of public safety communications infrastructure or other extreme circumstances, the aggregate capacity of commercial networks would be available to support the public interest, while allowing scarce and valuable spectrum to serve the public during normal times.

Taken in the context of the Commission's earlier work describing a funding proposal for a nationwide broadband network for public safety, the Commission has now described a cost effective plan to achieve a nationwide broadband interoperable network and provided a clear analysis that such a network will meet both the present and future needs of public safety. It has also ensured that the network deployed for public safety and using commercial technologies will achieve spectral efficiency goals on a par with similar commercial systems. In an era where spectrum is a scarce national resource, it is important that the most efficient use is made of this resource. Simply, we can't afford to waste spectrum and by using the same technology and architecture as commercial vendors, public safety can and should achieve comparable spectrum efficiency goals.

It has been clear to me for some time that the present ecosystem for public safety communications is broken and cannot evolve to meet future public safety needs. At the present time, public safety agencies in the United States pay significantly more for their

communication technology than public safety agencies throughout the world and a more than two decade effort to develop open standards to promote competition has yet to succeed. This has been a failure of all parties; public safety, federal agencies and especially the vendor community who alone have benefited from the continuing development of expensive, proprietary communication systems. We cannot afford to carry this history forward to a new generation of technology.

The Commission has 'gotten it right' that the near term deployment of LTE technology presents a generational opportunity to leverage commercial investments to serve the needs of both public safety and the American public. As the Commission notes, planned intelligently this investment can be leveraged to greatly reduce the cost of building a nationwide network for public safety and, in fact, may be the only feasible mechanism for an affordable network. In addition, by using the same technology as commercial vendors, the resiliency and capacity of multiple commercial networks becomes availability to public safety through the priority access mechanisms that are already an intrinsic part of the LTE standard.

I believe broadband is the future for public safety communications as it is for commercial systems and I would therefore urge the Commission to provide the utmost flexibility to public safety in planning in this regard. Specifically public safety should, at their option, be allowed to use the narrowband spectrum allocated for their use in the 700 MHz band for broadband communications should they choose. I note that since there has been comparatively little deployment in this band to date, flexibility in planning now is critically important before this band becomes encumbered with potentially billions of dollars of narrowband systems. Public safety should be in the position of deciding how best to use spectrum allocated to their purposes.

I commend the Commission for its effort and urge them to push forward with their plan.

Edmond J. Thomas
Former FCC Chief, Office of Engineering and technology.